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Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

ROCHESTER DRUG CO-OPERATIVE, INC.

Debtor.

Chapter 11

Case No. 20-20230 (PRW)

Advisory Trust Group, LLC, as trustee of the RDC
LIQUIDATING TRUST,

Plaintiff,

v.

ACI HEALTHCARE USA, INC.,

Defendant.

Adv. Proc. No. 22-02002 (PRW)

SECOND STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC (“Plaintiff” or the “RDC Liquidating Trust”), successor in interest to Rochester Drug Co-Operative, Inc., and defendant, ACI Healthcare USA, Inc. (“Defendant”, and together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate and agree as follows:

WHEREAS, on February 3, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendant;

WHEREAS, the summons (the “Summons”) was issued on February 4, 2022;

WHEREAS, on February 4, 2022, Defendant was served with the Summons and Complaint;
and

WHEREAS, on February 28, 2022, the Parties entered into a stipulation (the “First Stipulation”) by which the time required for Defendant to answer the Complaint was extended through and including April 15, 2022. The First Stipulation was approved by order entered March 1, 2022.

The Parties hereby stipulate and agree to the matters set forth below:

1. The Parties have an agreement in principle to settle the matter and request, subject to Court approval, a further extension of time for Defendant to answer the Complaint to and including June 15, 2022. This will allow the Parties sufficient time to document and complete the settlement.

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2. All other terms set forth in the First Stipulation remain in full force and effect.

Respectfully submitted,

Dated: April 12, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

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Counsel to Plaintiff RDC Liquidating Trust

SO ORDERED:

DATED: _____, 2022
Rochester, New York

Dated: April 12, 2022

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HON. PAUL R. WARREN